

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

PRUDENCE HOUPE,)
)
Plaintiff,)
)
v.) **CIVIL NO. 5:04CV25**
)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
Defendant.)

O R D E R

THIS MATTER is before the Court on Plaintiff's "Petition For Attorney's Fee and Costs" filed on September 26, 2005 (document #11). By Response filed on January 10, 2006, Defendant advises that the Commissioner will not oppose an award of legal fees in the amount of \$1,212.50, (\$1,062.50 in legal fees and expenses, and \$150.00 filing fee) provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d).

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's 'Petition For Attorney's Fees And Costs' (document #11) is **GRANTED**, that is, counsel for Plaintiff shall be paid the sum of \$1,212.50 (\$1,062.50 in legal fees and expenses, and \$150.00 filing fee).
2. No additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.
3. The Clerk is directed to serve copies of this Order to counsel for the parties.

Signed: February 2, 2006



Richard L. Voorhees
Chief United States District Judge

